

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,

Plaintiff,

v.

TAMMY R. THOMAS,

Defendant.

Case No. 11-cr-40008-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on defendant Tammy R. Thomas's motion for a free copy of several documents from her criminal case file (Doc. 84). She does not offer any reason she needs copies of these documents.

Defendants have no constitutional right to a complimentary copy of any document in their court files. *See United States v. Groce*, 838 F. Supp. 411, 413, 414 (E.D. Wis. 1993). Before providing copies free of charge, a district court may require the requestor to show: (1) that he has exhausted *all* other means of access to his files (*i.e.*, through his trial and appellate counsel), (2) that he is financially unable to secure access to his court files (*i.e.*, through a showing similar to that required in 28 U.S.C. § 1915(a)(2) which includes a certified copy of the prisoner's trust account for the previous six-month period prior to filing), and (3) that the documents requested are necessary for the preparation of some specific non-frivolous court action. *See United States v. Wilkinson*, 618 F.2d 1215, 1218-19 (7th Cir. 1980); *Rush v. United States*, 559 F.2d 455, 459 (7th Cir. 1977); *Groce*, 838 F. Supp. at 413-14. These minimal requirements do not impose any substantial burden to financially unable prisoners who desire their records be sent to them at government expense.

Thomas has not made a showing of any of the three things necessary to justify copies of

documents from his file at the Court's expense. For this reason, the Court **DENIES without prejudice** Thomas's motion (Doc. 84).

IT IS SO ORDERED.

DATED: May 16, 2012

s/J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE